

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

DARRYL JAYVONN LEE,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. CIV-07-498-M
	)	
JOHN WHETSEL, SHERIFF, et al.,	)	
	)	
Defendants.	)	

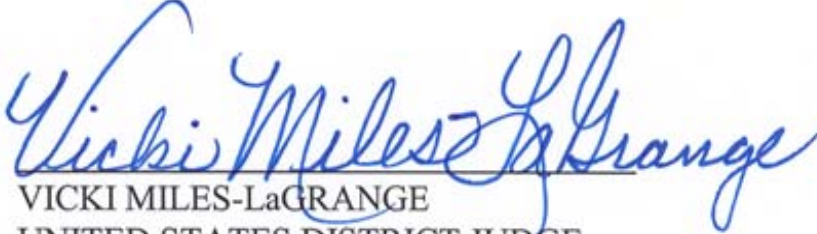
**ORDER**

On May 23, 2007, United States Magistrate Judge Gary M. Purcell issued a Report and Recommendation in this action brought pursuant to 42 U.S.C. § 1983. The Magistrate Judge recommended that this action be dismissed with prejudice as it fails to state a claim for relief and is frivolous. Plaintiff was advised of his right to object to the Report and Recommendation by June 12, 2007. On June 11, 2007, plaintiff filed his objections, objecting to the Report and Recommendation in its entirety.

Having carefully reviewed this matter de novo, the Court:

- (1) ADOPTS the Report and Recommendation issued by the Magistrate Judge on May 23, 2007; and
- (2) DISMISSES this action with prejudice pursuant to 28 U.S.C. § 1915(e)(2) and 28 U.S.C. § 1915A(b) as it fails to state a claim for relief and is frivolous.<sup>1</sup>

**IT IS SO ORDERED this 15th day of June, 2007.**

  
VICKI MILES-LAGRANGE  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup>Plaintiff is advised that dismissal of this action pursuant to 28 U.S.C. § 1915A(b) or § 1915(e)(2)(B) may constitute one “strike” pursuant to 28 U.S.C. § 1915(g) upon affirmance or waiver of his opportunity to appeal.